

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

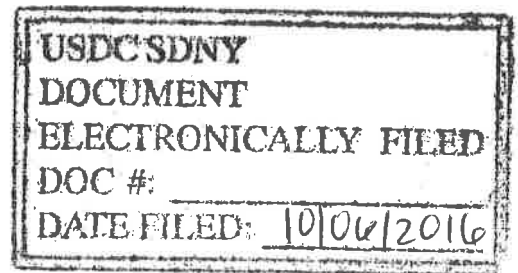
CLAUDE GALLAND & VIOLAINE GALLAND,

Plaintiffs,

- against -

JAMES JOHNSTON & JUDITH JOHNSTON,

Defendants.



ORDER

14-CV-4411 (RJS) (RLE)

RONALD L. ELLIS, United States Magistrate Judge:

On March 9, 2016, Defendants James and Judith Johnston (collectively, "Defendants") filed a letter asking for a pre-motion conference to discuss "incomplete or argumentative only" responses to document production requests and interrogatories. (Doc. No. 68.) In the letter, Defendants indicated that they would "be seeking a Motion to Compel or Dismiss" because *pro se* Plaintiffs Claude and Violaine Galland (collectively, "Plaintiffs") were not "conducting discovery in good faith." (*Id.*)

On April 13, 2016, the Court held a telephone conference with the Parties, but Plaintiff Claude Galland ("Galland") informed the Court that he could not hear the proceedings because of a hearing impairment. (Doc. No. 79.) The conference was discontinued and the case was soon after stayed pending a change in Galland's condition. (Doc. Nos. 79, 81, 83.)

On June 23, July 21, and September 30, 2016, Plaintiffs filed letters indicating their desire to forgo depositions and asking to proceed to trial or settlement. (Doc. Nos. 82, 84, 86.) Plaintiffs' position, however, does not address Defendants' right to discovery.

The Court having determined that a pre-motion telephone conference does not accommodate Galland's hearing impairment and that Plaintiffs' responses may require supplementation pursuant to Rule 26(e) of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED THAT:

- (1) Defendants file a motion to compel discovery or motion to dismiss by **October 20, 2016**;
- (2) Plaintiffs file a response by **November 3, 2016**; and
- (3) Defendants file a reply, if any, by **November 10, 2016**.

SO ORDERED this 6th day of October 2016.
New York, New York



The Honorable Ronald L. Ellis
United States Magistrate Judge

A copy of this Order was sent to:

Claude and Violaine Galland
166 W. 75th Street, Suite 1214
New York, NY 10023